

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ERIC DIAZ, on behalf of himself and others similarly
situated,

Plaintiff,

Case No.: 10-cv-3647

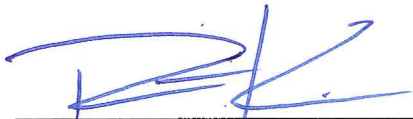
v.

**STIPULATION OF
VOLUNTARY
DISMISSAL PURSUANT
TO F.R.C.P. 41(a)(1)(A)(ii)**

BARBETTA RESTAURANT, INC.
and LAURA MAIOGLIO,

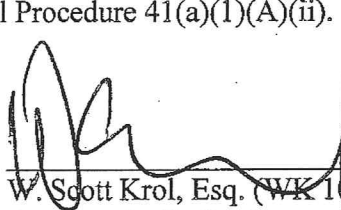
Defendants.

IT IS HEREBY STIPULATED AND AGREED by and between the parties
and/or their respective counsel(s) that the above-captioned action is voluntarily dismissed
with prejudice against the defendants, BARBETTA RESTAURANT INC. and LAURA
MAIOGLIO, pursuant to the Federal Rules of Civil Procedure 41(a)(1)(A)(ii).



Robert L. Kraselnik, Esq. (RK 0684)
Attorney for Plaintiff

Robert L. Kraselnik, Esq.
KRASELNIK & LEE, PLLC
30 East 39th Street, Second Floor
New York, NY 10016
Tel.: 212-465-1189



W. Scott Krol, Esq. (WK 1014)
Attorney for Defendants

W. Scott Krol, Esq.
BUSSON & SIKORSKI P.C.
381 Park Avenue South Suite # 615
New York, NY 10016
Tel: 212-532-7191

SO ORDERED:

Dated: _____

United States District Judge